

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

BRACH EDWARD NORRIS,

Petitioner,

vs.

STATE OF WASHINGTON,

Respondent.

2:15-cv-00240-SAB

**ORDER DENYING MOTION
FOR RECONSIDERATION**

By Order filed November 17, 2015, Petitioner Brach Edward Norris' habeas petition was transferred to the Ninth Circuit Court of Appeals and the file was closed, ECF No. 12. On December 17, 2015, Petitioner submitted a document labeled "Motion for Leave to File Certiorari in Supreme Court of United States," consisting of 60 pages. That motion was denied on January 8, 2016, ECF No. 15. Petitioner now seeks reconsideration of the Order denying his motion. ECF No. 16. His current motion was considered without oral argument on the date signed below.

A motion for reconsideration should only be granted if the Court (1) is presented with newly discovered evidence, (2) committed clear error or the initial decision was manifestly unjust, or (3) if there is an intervening change in controlling law. *Sch. Dist. No. 1J v. AC&S, Inc.*, 5 F.3d 1255, 1263 (9th Cir. 1993). "A motion for reconsideration should not be granted, absent highly unusual circumstances." *389 Orange St. Partners v. Arnold*, 179 F.3d 656, 665 (9th Cir.

1 1999). A motion for reconsideration may not be used to raise arguments or present
2 evidence for the first time when they could reasonably have been raised earlier in
3 the litigation. *Id.*; *Kona Enters., Inc. v. Estate of Bishop*, 229 F.3d 877, 890 (9th
4 Cir. 2000).

5 After reviewing the record, the Court finds that Petitioner has not met this
6 standard. He has not presented any newly discovered evidence and he does not
7 allege that the Court committed a clear error in its Order dated January 8, 2016.
8 Further, Petitioner cites no intervening controlling law. Petitioner simply asks the
9 court to “please reconsider.” Therefore, **IT IS ORDERED** Petitioner’s Motion for
10 Reconsideration, ECF No. 16 is **DENIED**.

11 **IT IS SO ORDERED.** The Clerk of Court shall enter this Order and
12 forward a copy to Petitioner at his last known address. This file shall remain
13 closed.

14 **DATED** this 24th day of February, 2016.



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A handwritten signature in blue ink that reads "Stanley A. Bastian". The signature is written in a cursive style and is positioned to the right of the court seal.

21 Stanley A. Bastian
22 United States District Judge
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